IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.7954 OF 2005

Smt.Bindu Ranjith K.V. ...Applicant

vs.

Ranjith K.V. and others ...Respondents

Ms Harjeet Kaur for the Applicant
Mr.U.V.Nikam,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : DECEMBER 4,2006.

P.C.:

1. Heard learned Advocate for the Applicant. This Application is filed under section 482 of the Code of Criminal Procedure, 1973. The substantive prayers in this Application read thus :

a) that the Respondent No.1 be directed to comply with order passed on Exhibit '14' dt.25-6-2004 in Petition No.46/2004 directed to produce the documents mentioned therein.

b) that the Respondent No.1 be directed to furnish details of Income tax Returns filed since 1993 till date;

c) that the said proceedings No.E-46/2004 in Family Court No.6, at Bandra, Mumbai be stayed until and unless the Respondent Nos.1 complies with prayer (a)

and (b).

2. The Application filed by the Applicant is pending before the Family Court. The Family Court has already passed an order in the pending case directing the Respondent to produce certain documents. The said order is passed on 25th June 2004 on an Application at Exh.14. If the order passed by the Family Court below Application at Exh.14 is in force and is not complied with by the Respondent, for that purpose, an Application under section 482 of the Code of Criminal Procedure, 1973 cannot be entertained. Jurisdiction under section 482 of the said Code has to be resorted to sparingly and only in exceptional cases. No case is made out for exercise of the said power. Application is rejected.

3. Notwithstanding the rejection of this Application, it will be open for the Applicant to take recourse to appropriate remedy in accordance with law.

JUDGE